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IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Report by Mr. Maurice Glélé-Ahanhanzo, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, submitted pursuant to Commission on Human Rights resolutions 1993/20 and 1995/12

Addendum

Mission to Germany

GE.96-14244 (E)

INTRODUCTION

A. Purpose of the mission

1. Pursuant to Commission on Human Rights resolutions 1993/20 of 2 March 1993 and 1995/12 of 24 February 1995, and by agreement with the German Government, the Special Rapporteur undertook a fact-finding mission to the Federal Republic of Germany from 18 to 27 September 1995.

2. It should be recalled that German reunification was accompanied by violent outbursts of xenophobic sentiment and anti-Semitic acts fomented and perpetrated by extreme rightist organizations and neo-Nazi cells. Between 1991 and 1993, xenophobically and racially motivated incidents, particularly targeting asylum-seekers and other foreigners, increased markedly. The most serious incidents took place: (a) in Hoyerswerda, in Saxony, in September 1991, when skinheads supported by some of the local population attacked and set fire to a migrant workers' hostel housing some 150 Mozambicans and Vietnamese; (b) in Rostock (Mecklenburg-Pomerania) where, over five nights in August 1992, rightist extremists supported by more than 500 people from the town destroyed a hostel inhabited by asylum-seekers, principally Gypsies; (c) in Mölln (Schleswig-Holstein) where arson on 23 November 1992 caused the deaths of three individuals of Turkish origin; (d) in the same town in May 1993, when incendiary bombs thrown at a Turkish family's home led to the deaths of five people, including one woman and two children; (e) in Berlin, where the holocaust memorial in the Tiergarten was destroyed by a bomb on 30 August 1992.

3. Material forwarded to the Special Rapporteur also alleges that some members of the police forces have been guilty of xenophobic behaviour and indulged in the ill-treatment of foreigners. 1/

4. Mindful of the way the situation had developed since 1994, the Special Rapporteur wished to examine the underlying causes of the phenomena observed and to acquaint himself with the steps taken by the Federal Government and authorities in the Länder and with what had been done by society at large. As the incidents also raised the question of how foreigners integrate into Germany, the Special Rapporteur inquired into the ways found of tackling this problem.

B. The mission

5. Having been welcomed in Bonn, the provisional capital, the Special Rapporteur travelled far and wide through Germany, meeting senior officials responsible for combating racism and racial discrimination at the Federal and Länder levels. He visited the Free Hanseatic Cities of Bremen and Hamburg in the north, Berlin and Dresden (Saxony) in the east; Stuttgart (Baden-Württemberg) in the south; and Frankfurt and Wiesbaden in the east-central region of Hessen.

6. Among others, the Special Rapporteur met Mr. Willi Hausmann, the Federal Minister for Family Affairs, Senior Citizens, Women and Youth; Mr. Ingo Kober, the State Secretary at the Federal Ministry of Justice; Mr. Helmut Schäfer, the Minister of State and Commissioner for Humanitarian Aid and Human Rights

at the Federal Foreign Office; and Ambassador Graf von Bassewitz, the head of the Directorate for Human Rights and Humanitarian Aid at the Federal Foreign Office. He also met a number of members of the Bundestag (Federal Parliament) and Commissioners for Foreigners, whose names appear in the programme of the visit (annex I).

7. The Special Rapporteur also had an exchange of views with Mr. Rüdiger Wolfrum, an expert on the Committee on the Elimination of Racial Discrimination, and with Mr. Wilhelm Heitmeyer and Mr. Roland Eckert.

8. He also had working sessions with representatives of non-governmental organizations, and with leading religious figures invited with the assistance of the German United Nations Association and the German Committee of United Nations Educational, Scientific and Cultural Organization (UNESCO).

9. While in Bremen and Stuttgart the Special Rapporteur visited asylum-seekers' homes and hostels. In Hamburg and Berlin, visits to the St. Georg Multicultural Community Centre, the "Multi Kulti" studios at radio SFB4 where programmes for foreign communities are put together, the Werkstatt der Kulturen (culture workshop) and the House of the World's Cultures, showed him what was being done in a variety of areas to promote multiculturalism and rapprochement between Germans and foreigners.

10. During his visit the Special Rapporteur was assisted by an official from the Legislation and Prevention of Discrimination Branch of the Centre for Human Rights and two interpreters assigned to the mission by the Conference Services Division of the United Nations Office at Geneva.

11. The detailed mission programme, including the names of everyone he interviewed is annexed to this report.

I. ORIGINS OF XENOPHOBIA AND RIGHTIST EXTREMISM AND RELATED INCIDENTS

12. A number of official explanations have been put forward for the outbreak of xenophobic violence. The main ones appear to be the economic and social upheaval in the east of the country following reunification; the massive influx of asylum-seekers; and the aggressiveness of extreme rightist organizations.

A. Reunification and disarray in the former German Democratic Republic

13. One consequence of German reunification was to expose the inhabitants of the east of the country to things of which they had previously been ignorant, and to engender disarray in the face of economic and social change and growing unemployment. Having long been inward-looking, the inhabitants of eastern Germany perceived foreigners as competing for jobs and jeopardizing any improvement in their economic and social situation. These fears were then exploited by extreme rightist organizations and neo-Nazi cells, which directed the frustrations of a proportion of the region's unemployed youth, lacking a social identity or prospects for the future, towards foreigners.

B. Exasperation at the fringes of society following the massive influx of asylum-seekers

14. Another explanation put forward, exasperation at the fringe of the German population provoked by the influx of immigrants, asylum-seekers and of "pseudo-asylum-seekers" 2/ following the political changes in eastern Europe and the crisis in Yugoslavia. Some analysts suggest there was a "social protest" springing from "diffuse sentiments and the notion of a general threat, and the disadvantageous position of 'Germans' vis-à-vis 'foreigners', particularly asylum-seekers". 3/ This notion was fed in particular by the housing situation and State subsidies and transfers to asylum-seekers, and heightened by the fear of competition and loss of status. The xenophobia engendered in this setting then spread beyond asylum-seekers to encompass all foreigners. The support lent by some of the inhabitants of Hoyerswerda and Rostock to the arsonists is significant in this regard.

15. Between 1989 and 1993 the number of asylum-seekers in Germany rose from 121,318 to 322,599. In 1990 and 1991, Germany received around 58 per cent of the individuals seeking asylum in the European Community. By 1992 that proportion had risen to around 79 per cent. 4/ The increase was because German legislation, more flexible than in other European countries, made it attractive to asylum-seekers. Until its amendment in 1993, article 16 of the Basic Law, drawn up in 1949 in a cold war setting, granted political refugee status almost automatically to any asylum-seeker. It is thought that many asylum-seekers, described as "economic refugees", sought to take advantage of this constitutional provision to settle in Germany. The conditions they were offered (housing and financial assistance) provoked xenophobic reactions in the Länder and townships concerned and gave rise to an impassioned public debate on revision of the right to asylum.

16. But the large-scale presence of asylum-seekers is only part of the explanation for the xenophobic violence, because that violence chiefly affected the most visible applicants (Gypsies and Africans, although they were not the majority of asylum-seekers) and foreigners who had lived in Germany for many years (Turks, Vietnamese, Mozambicans and Angolans). In fact, the wave of violence was attributable rather to agitation from the extreme right, which used the presence of foreigners as a pretext for spreading its racist ideology and operating in broad daylight.

C. The aggressiveness of the extreme right

17. Ideologically, racist nationalism is a feature of rightist extremism. A second vital component is the notion of an élite race. In such an ideology, it is not a shared historical, cultural and linguistic background that determines whether one belongs to a people or nation, but only common biological origins. The people and the nation are the wellspring of the élite race. This ideology underpins xenophobic violence against asylum-seekers and other foreigners as a means of cleansing the German nation of undesirable elements. The arson in Mölln is of heavy symbolic significance in this regard.

18. By the end of 1994, the German authorities responsible for upholding the Constitution had 82 organizations and associations of individuals under

observation for extreme rightist activity (78 in 1993). 5/ Compared with the previous year, the membership of such associations and individuals not belonging to any group had visibly fallen by 7,900, to 56,600 (as against 64,500 in 1993). The number of militant rightist extremists, at approximately 5,400, was down slightly on the 1993 figure of 5,600. It included the extreme rightist skinheads belonging to virtually unstructured regional- and local-level associations. 6/

19. This slight decline in the number of militant rightist extremists was doubtless due to the many steps taken by the German State, as will be seen below.

20. It should also be noticed that the extreme rightist parties have seen their popularity among the electorate decline after the good showing they made in 1991 and 1993 by exploiting the subject of an invasion of economic refugees. They account for at most 4 per cent of the various electoral constituencies (federal, local, communal and European). 7/

II. VIOLENT DISPLAYS OF RACISM AND XENOPHOBIA 8/

21. In 1994, the German police recorded 7,952 breaches of the law allegedly or demonstrably motivated by rightist extremism (as against 10,561 in 1993), including 1,489 acts of violence (1993: 2,232) and 6,463 other breaches of the law (1993: 8,329); 3,941 were motivated by xenophobia (1993: 6,721), and of those 860 were acts of violence (1993: 1,609). It will thus be seen that breaches of the law presumably or demonstrably motived by rightist extremism declined by 25 per cent from the levels seen in 1993.

22. The decline in xenophobically motivated violence has come about thanks to action by the State and vigorous moves by the police against extreme rightist organizations and neo-Nazi cells. This action will be discussed in detail in the following chapter.

23. By treating arson as homicide or manslaughter and sentencing those guilty of serious violence to long terms in prison, the courts - and the media, which provided detailed reports on the matter - have had a deterrent effect on potential offenders.

24. There were 1,366 anti-Semitic incidents in 1994. This is an increase since 1993 (656 breaches of the law). But the increase was in non-violent crimes such as demonstrations, incitements to racial hatred, insults, propaganda and vandalism; the number of acts of violence declined from 72 to 41, i.e. by 43 per cent.

25. The large increase in other breaches of the law stems from the fact that agitation and incitement to hatred were up by 130 per cent. One reason is that, unlike the preceding year, there were a number of mailings of multiple letters containing incitements to racial hatred. These statistics reflect the number of inquiries launched because of the many complaints (some 190).

26. Other offences (including insults and vandalism without major violence) also increased disproportionally, to 9.5 times the previous level.

III. ACTION BY THE FEDERAL GOVERNMENT AND AUTHORITIES IN THE LANDER

27. The German authorities have worked hard to restore the image of a peaceful, liberal, cosmopolitan and democratic Germany. Large-scale action has been taken, particularly in the fields of prevention and punishment, but also in amendments to the law. A variety of similar, concrete steps have been taken in parallel by the Länder and the communes.

A. Political and intellectual reaction to extremism, xenophobia and violence

28. All activities at the Bund (federal), Land (provincial) and communal levels emphasize political action to address anti-constitutional trends in extremist circles on the fringes of political life. Such political activity includes extensive information campaigns on the nature and scope of the dangers inherent in political extremism. While it is emphasized that the Federal Republic of Germany has for decades been a solid democracy grounded in the Basic Law, the risks and threats that violence, extremism, intolerance and xenophobia, fervid nationalism and fundamentalism represent are brought to the fore.

29. Public information activities consist, on the one hand, in making the public aware of the values of human dignity, freedom, equality and solidarity, and on the other hand, in fostering determination to defend the Federal Republic's liberal, democratic regime.

30. Such political and intellectual action covers the following four points:

(a) Protection of the Constitution through information, by means of booklets dealing with extremism, violence, terrorism and xenophobia and through seminars for teachers, the authors of scholarly journals, journalists, and people responsible for adult education;

(b) An information campaign against extremism and xenophobia;

(c) Social research projects concerned with internal security;

(d) The causes of, and action to combat, violence.

31. As regards internal security, particular priority has been given to a joint information campaign by the Federal and Land ministries of the interior against extremism and xenophobia. The campaign was launched in March 1993 under the slogan "Understanding and respect for human dignity - no to xenophobia".

32. The campaign had two objectives: to inform and to motivate. It was aimed particularly at young people, but also at the public at large, and dealt with the reasons, underlying causes and extent of violence, xenophobia and extremism. Young people were also encouraged to reflect on their own behaviour towards foreigners and the opportunities they had to confront violence and xenophobia.

33. As part of this campaign, information material was produced including hand-outs for schoolchildren and teachers, a brochure for young people entitled "Basta-Nein zur Gewalt" (enough - no to violence) accompanied by a teaching manual, a computer game entitled "Schwarze Schatten", (black shadows), posters, stickers, badges, pennants and T-shirts. Advertisements were placed in publications for young people and television spots were broadcast against xenophobia with a view, among other things, to encouraging young people to behave fairly towards foreigners and show them some understanding.

34. The Federation and the Länder distributed some 370,000 posters around the country bearing the message "Violence is not the right choice", to promote the right choice - understanding. This information campaign will be continued, with a new poster bearing the slogan "Rapprochement, not violence" which will also be widely distributed. Other priorities have consisted in cooperation with the RTL television series Gute Zeiten-Schlechte Zeiten (Good times - bad times) which has afforded a means of informing young people and encouraging them to become actively involved, and the "Pop 1995" tour organized by Deutsche Bahn Ag (German railways) in 45 towns throughout Germany, which reached a climax on 30 September 1995 with pop music festivals in 17 towns.

35. The campaign has been well received by the public at large. This can be seen in the great number of requests for information and propaganda material and the many offers of help. Additionally, many people have supported the campaign with activities of their own, for example, distributing material, publishing advertisements free of charge, wearing T-shirts bearing the logo Fairständnis (a pun on "fair" and the German word for "understanding") at sporting events, setting up anti-violence groups and doing things to help their foreign fellow-countrymen.

36. The Ministers of the Interior in the Länder are also firmly committed to countering xenophobia, having adopted a declaration (the Saarbrücken Declaration of 9 October 1992) outlining efforts to prevent xenophobia in schools (see annex II).

A. Dissolution of extreme rightist organizations and prohibition of xenophobic and racist activities and propaganda

37. Firm action has been taken and rigorous moves made, by both the federal authorities and the authorities in the Länder, against extreme rightist organizations and neo-Nazi cells. A total of 10 extreme rightist organizations have been banned: five that operated throughout Germany by the Federal Ministry of the Interior, 9/ and five others, whose activities were restricted to certain Länder, by the ministries of the interior of those Länder. 10/

38. The Office for the Protection of the Constitution (Landesamt für Verfassungsschutz) maintains a constant watch on the activities of the extreme right and systematically punishes breaches of the law.

39. Mention should be made here of the work being done in Saxony by the special police group Soko Rex. This is a commission set up in 1991 by the

Ministry of the Interior of Saxony to combat the extreme right and xenophobia. Its membership ranges between 15 and 50 highly qualified police officers from the west of the country, particularly Bavaria and Baden-Württemberg. It should be explained, as regards this cooperation between Saxony and other Länder, that the unification process disrupted police services in the eastern Länder; this is also why there were acts of violence without a rapid and effective reaction from the security forces.

40. Soko Rex has adopted the twofold strategy of putting extreme rightist circles under constant pressure by searching the headquarters of their organizations and their members' homes, mounting surveillance on their activities and punishing illegal acts while at the same time taking preventive action among young people to stop them coming under the sway of the extreme right. It maintains close relations with the general public, which is kept regularly informed of its activities. The group has arranged prevention campaigns during which posters bearing the messages "Nazis and violence stand no chance" and "A bit more humanity" have been distributed.

41. This strategy has cut xenophobic crime by 75 per cent in Saxony. The Special Rapporteur visited Soko Rex headquarters and could see how effective it was being from the large quantities of racist literature and weapons (firearms and others) seized from extreme rightist movements.

IV. ACTION BY SOCIETY AT LARGE

42. Like the federal and local authorities, society at large, under the leadership of the Commissioners for Foreigners, the churches, a variety of associations and private businesses (notably Bertelsmann 11/), has reacted against the wave of xenophobic violence that swept across Germany. Germans have firmly rejected xenophobia, racism and rightist extremism. A good many organizations and citizens have joined the campaign against xenophobia and rightist extremism, forming "chains of light" to protect asylum-seekers' hostels. Millions of demonstrators have marched in protest against this and other forms of discrimination.

43. In November 1992, following the incident in Rostock, 350,000 people took part in a demonstration in Berlin. On 6 December 1992, 300,000 people marched in Munich against intolerance, anti-semitism and extreme rightist violence. On 31 January 1993, over 1 million people paraded in demonstrations against racism and xenophobia in the Land of Baden-Württemberg. It is estimated that 3 million people have taken part in at least 50 public demonstrations throughout Germany.

44. In late September each year, during intercultural week (foreign fellow-countrymen week), thousands of people do their bit to make life together better for Germans and foreigners. In 1995 the rallying call was "Together for justice". This week of good works is prompted by the churches. It is also supported at the local community level by trade unions, the communes, foreigners' associations and grass-roots initiatives. The Special Rapporteur attended the opening of foreign fellow-countrymen week at an ecumenical service in Berlin Cathedral on Saturday, 23 September 1995.

V. PROBLEMS WITH THE INTEGRATION OF FOREIGNERS

45. Beyond the steps taken to put an end to racist and xenophobic violence, there remains, in the medium term, the burning question of the integration of foreigners, since the highest German authorities (including Chancellor Helmut Kohl) continue to say that Germany is not a destination for immigration despite the presence of some 6.5 million foreigners (8 per cent of the population) including 1.5 million refugees. 12/

46. Between 1955 and 1970, the Federal Republic of Germany used foreign labour to rebuild its economy, recruiting workers from Mediterranean countries in particular (Turks, Italians, Greeks, Spaniards, Portuguese, Moroccans, Tunisians and Yugoslavs) which it called "guest workers" (Gastarbeiter), because the intention was that they would return home in the fullness of time.

47. Today Germany has 1,850,000 Turks (28.6 per cent of the foreign population); 916,000 people from the former Yugoslavia (14.1 per cent); 558,000 Italians (8.6 per cent); 346,000 Greeks (5.3 per cent); 286,000 Poles (4.4 per cent); 168,000 Romanians (2.6 per cent); and 134,000 Spaniards (2.1 per cent).

48. About 60 per cent of these foreigners have lived in the Federal Republic for 10 years or more. More than two thirds of the foreign children and teenagers were born there. While Europeans, particularly those from the European Union, are relatively well integrated, the same is not true of the Turks, Poles and Romanians (gypsies) who face discrimination in housing, employment, the provision of services (insurance companies often refuse to ensure vehicles and other property belonging to Turks), and access to public places (young immigrants are refused access to restaurants and discothèques). 13/

49. The Government's current policy on integration is of recent date and suffers from ambiguity since Germany, despite the facts, does not consider itself to be a destination for immigrants. The policy has three parts:

"- integrating the foreigners who have lived (in the country) for a long time, including foreign workers;

- stemming continuing immigration from countries outside the European Community;

- granting assistance for voluntary return and reintegration into the home country." 14/

50. Efforts to stem immigration require caution, in particular in the case of people from the southern hemisphere, since they have not migrated spontaneously but rather as the result of imbalanced, not to say chaotic, international relations. Witness the thousands of Vietnamese (60,000), Mozambican and Angolan workers taken on by the German Democratic Republic under the heading of cooperation among "fraternal" socialist countries, who were not properly taken into account during reunification. The only prospect open to them is repatriation, although their links with their home countries have weakened with time. Under an agreement on financial assistance between

Germany and Viet Nam, signed on 9 June 1992, almost 40,000 Vietnamese workers have been obliged to return home. There remain around 20,000 whose situation is unstable because of the very limited duration of the work permits granted them (three to six months). They risk being refused the right to stay in the country if they lose their jobs. Some have already gone underground because of their precarious situation, and are accused of smuggling cigarettes as their only source of income.

51. One of the contradictions in Germany's policy on integration stems from the naturalization law which still rests on the principle of jus sanguinis, while the majority of European countries have opted for jus sanguinis and jus soli combined. German law thus allows nationality to be conferred automatically on people of German origin from the former Soviet Union and Eastern Europe, but imposes stricter conditions, including renunciation of their original nationality, on the children of immigrants, including Turkish children who were born in and have long been living in Germany. The refusal to recognize dual nationality except in rare instances is an obstacle to full integration. Another problem with integration which is both difficult and complicated relates to quarrels among Turks over the Kurdish question, which often gives rise to violence within Germany.

52. Despite the contradictions in its immigration and integration policies, Germany has considerable assets, in the form of its Commissioners for Foreigners, working in favour of the integration of foreign population groups. The Commissioners are highly dedicated and competent people working at both the Federal and the Land level.

53. Notable efforts have been made by the Federal Commissioner for Foreigners, and the Commissioners for Foreigners in Hamburg (see annex III) and Berlin (annex IV). One innovation worthy of note has been made by the Police Department in the city of Frankfurt, where three Commissioners for Foreigners (one Turkish woman, one Turkish man and a Moroccan man) have been appointed to improve or facilitate relations between the police and the communities concerned.

54. The Intercultural Council in Germany (Interkulturellerat in Deutschland e.V.), founded in August 1994 and composed of equal numbers of foreigners and Germans, also helps to bring about rapprochement between native Germans and foreigners. It is committed, independent of extreme events, to combat racism and xenophobia over the long term, producing publications (brochures, posters and pamphlets) every year on symbolic dates such as 21 March (International Day for the Elimination of Racial Discrimination), 3 October (German Unity Day) and 10 December (Human Rights Day), suggesting action to be taken, engaging in public relations, through statements in the press, on current topics, and submitting petitions and claims to political bodies.

V. CONCLUSIONS AND RECOMMENDATIONS

55. The Special Rapporteur would like to emphasize how valuable his visit to Germany, outlined here, was. It enabled him to assemble a large body of documentation which he hopes he has been able to distill despite the shortages of human and material resources he continues to face. It also allowed him to

have very rewarding discussions with representatives of the Government and non-governmental organizations. He now knows exactly what has come of efforts to combat rightist extremism, xenophobia and racism. In many respects, this outcome is laudable.

56. It is none the less true that the integration of foreigners in Germany remains a problem and that the rigid official policy on immigration, within the narrow framework of the European Union, could profitably be reviewed. The Special Rapporteur therefore reiterates here the recommendations he made in his principal report (E/CN.4/1996/72, paras. 24 and 25):

(a) Efforts still need to be made to change mental attitudes in favour of acceptance of a multi-ethnic, multi-cultural German society;

(b) Further consideration should be given to applications for asylum in order to limit, as far as possible, the hasty nature of the "airport procedure" particularly vis-à-vis asylum-seekers from the Southern hemisphere who are automatically assimilated to illegal immigrants;

(c) Living conditions in the holding centres should be improved and the refoulement of supposedly illegal immigrants should be done humanely;

(d) A more humane solution than refoulement should be found for the Vietnamese and Mozambicans who used to work under contract in the former German Democratic Republic and whose status has been made precarious by reunification;

(e) Lastly, a law should be passed against racism, anti-Semitism and xenophobia.

Annex I

PROGRAMME OF THE VISIT OF THE SPECIAL RAPPORTEUR
TO THE FEDERAL REPUBLIC OF GERMANY

(18-27 September 1995)

Monday, 18 September 1995 (Bonn)

12.15 Arrival at Bonn

15.30 Meeting with Mr. Willi Hausmann, State Secretary, Federal Minister for Family Affairs, Senior Citizens, Women and Youth

17.30 Meeting with Mr. Ingo Kober, State Secretary, Federal Ministry of Justice

19.30 Dinner at the Invitation of Mr. Helmut Schäfer, Minister of State and Commissioner for Humanitarian Aid and Human Rights at the Federal Foreign Office

Tuesday, 19 September 1995 (Bonn)

9.00 Meeting with Mr. Schelter, State Secretary, Federal Ministry of the Interior, Mr. Rupprecht, Director and Mr. Morié, Inspector of Police Forces of the Federal States

12.00 Meeting with Mr. Ignatz Bubis, Chairman of the Central Council of Jews in Germany

14.30 Meeting with Ms. Cornelia Schmalz-Jacobsen, Member of the German Bundestag and Federal Government Commissioner for Foreigners

16.00 Meeting at the Bundestag

Ms. Christa Nickels (MP, Alliance 90/The Greens), Chairwoman of the Petitions Committee

Mr. Rudolf Bindig (MP, Social Democratic Party), Speaker of the Subcommittee on Human Rights and Humanitarian Aid

Mr. Willfried Penner (MP, Social Democratic Party), Chairman of the Home Affairs Committee

Mr. Horst Eylmann (MP, Christian Democratic Union/Christian Social Union), Chairman of the Legal Affairs Committee

19.00 Departure from Cologne/Bonn airport for Hamburg

Wednesday, 20 September 1995 (Hamburg, Bremen)

Hamburg

9.00 Meeting with former Hamburg Minister Mr. Günter Apel, Commissioner for Foreigners

10.00 Visit of the German-Foreign St. Georg Multicultural Community Centre

10.30 Meeting with Mr. Danke, Deputy Mayor of the Hanseatic City of Rostock and Senator for Youth, Health and Social Affairs, as well as Mr. Richter, Commissioner for Foreigners of the Hanseatic City of Rostock

11.30 Meeting with Mr. Henning Vosherau, Mayor of the Free Hanseatic City of Hamburg

12.00 Working lunch at the invitation of the Commissioner for Foreigners of Hamburg

14.00 Departure for Bremen by car

Bremen

16.30 Welcome by Mr. Henning Scherf, Bürgermeister of the Free Hanseatic City of Bremen, followed by a meeting with Mr. Hans-Christoph Hoppensack, Councillor at the Department for Women, Health, Youth, Social Affairs and Environmental Protection, Mr. Dagmar Lill, Commissioner for Foreigners of the Free Hanseatic City of Bremen, and a representative of the Central Organization of Foreigners' Cultural Association in Bremen (DAB)

17.30 Visit to a residential quarter for refugee families in a Bremen district; talks with representatives of the inhabitants and staff

18.50 Departure from Bremen airport for Stuttgart

Thursday, 21 September 1995 (Stuttgart)

8.30 Working breakfast with Mr. Manfred Walz, Head of Directorate-General II of the Ministry of State, responsible for internal affairs

9.30 Meeting at the Ministry of the Interior with:

Mr. Erhard Klotz, head of the Ministry (Chief of Cabinet)

Mr. Erwin Hetger, State Chief of Police

Mr. Volker Hass, City Chief of Police

Mr. Helmut Rannacher, President of the State Office for the Protection of the Constitution

Ms. Gabriele Müller-Trimbush, Mayor for Social Affairs in Stuttgart

Mr. Feige, head of Division at the Ministry of Interior

11.15 Visit to a hostel for asylum-seekers in Esslingen

12.30 Working lunch at the invitation of the Ministry of the Interior of Baden-Württemberg, represented by Mr. Erhard Klotz, head of the Ministry

14.00 Meeting with representatives of non-governmental organizations:

Mr. Talat Alici, Koordinierungsrat der türkischen Vereine in Baden

Mr. Ersin Ugursal, Deutsch-Türkische Gesellschaft e.V. Stuttgart

Mr. Yavuz Dedegil, Koordinierungsrat der Türken in Baden

Mr. Baier Winfried, Interessengemeinschaft Ausländischer Mitbürger in Baden/Württemberg

Ms. Mechthild Schürner and Mr. Bose, Diakonisches Werk der EKD, Stuttgart

Mr. Verner Baumgarten, Arbeitskreis Asyl, Stuttgart

Mr. Tim Kuschnerus, EKD, Hannover

19.05 Departure from Stuttgart for Berlin by air

Friday, 22 September 1995 (Berlin)

8.30 Meeting with Mr. Manfred Harrer, Director-General at the Ministry of Labour and Social Affairs

10.00 Meeting with Ms. Barbara John, Senate Commissioner for Foreigners

12.30 Meeting with Mr. Dieter Heckelmann, head of the Berlin Department of the Interior

13.45 Working lunch at the invitation of the Berlin Senate, represented by Mr. Armin Tschoepe, State Secretary of the Department of Social Affairs

15.45 Meeting with Mr. Friedrich Voss, Director of the "Multi Kulti" programme of SFB4 broadcasting station

16.45 Visit to the "House of the World's Cultures", welcome by Ms. Wiegand-Kanzaki, Secretary-General. Thereafter, visit to the "Multi Kulti" studios of SFB4 broadcasting station

Saturday, 23 September 1995 (Berlin)

9.00 Meeting with representatives of non-governmental organizations:

Ms. Karin Hopfmann, Antirassistisch-Interkulturelles Informations Zentrum Berlin (ARIC)

Mr. Kenan Kolat, Türkischer Bund in Berlin-Brandenburg e.V.

Mr. Ali Fathi, Verein Iranischer Flüchtlinge

Ms. Van Son Irrgang, Vereinigung der Vietnamesen in Berlin-Brandenburg

Mr. Peter Finger, Antirassistische Initiative

Mr. Klaus Pritzkaleit, Arbeitsgemeinschaft Christlicher Kirchen

Ms. Heidi Bishcoff-Pflanz, SOS-Rassismus Berlin

Sunday, 24 September 1995 (Berlin)

16.00 Visit of "Werkstatt der Kulturen"

19.00 Departure for Dresden by car

Monday, 25 September 1995 (Dresden)

9.00 Meeting at the Saxon State Ministry of Culture with:

Mr. Wagner, Secretary of State

Mr. Runch, head of Division

10.30 Meeting with Mr. Erich Iltgen, President of the Saxon Landtag

11.00 Meeting with Mr. Heiner Standig, first Vice-President of the Saxon Landtag and Commissioner for Foreigners

12.30 Working lunch at the invitation of the Saxon Landtag

14.00 Meeting with Mr. Peter Raisch, President of the State Criminal Police Office

15.00 Meeting with Ms. Mathilde Koller, President of the State Office for the Protection of the Constitution and Mr. Boos, Deputy to the President

19.35 Departure for Frankfurt/Main by air

Tuesday, 26 September 1995 (Frankfurt/Main, Wiesbaden)

9.00 Meeting with Mr. Gerhard Bökel, Hessen Minister of the Interior and for Agriculture, Forestry and Environmental Protection and Mr. Wolhard Hoffman, President of the Police Department and the Commissioner for Foreigners of the Frankfurt Police Department

11.00 Meeting with Ms. Wolf-Almanasreh, head of the Department of Multicultural Affairs

13.45 Departure for Wiesbaden by car

14.30 Welcome by Mr. Klaus Peter Moeller, President of the Hessen Landstag

15.30 Meeting with:

Mr. Ozan Ceyhun, Director of the Ministry Office for Immigrants, Refugees and Foreign Employees

Mr. Murat Cakir, Chairman of the Working Group of Foreigners Advisory Committees in Hessen

Mr. Jürgen Mikseh, Commissioner for Intercultural Affairs of the Protestant Church in Hessen and Nassau

18.00 Departure for Bonn by car

Wednesday, 27 September 1995 (Bonn)

8.30 Meeting with Ms. Ulrike Grünrock-Kern, Public Relations Officer, Bertelsmann AG

9.15 Meeting with representatives of the Catholic and Protestant Churches:

Mr. Joachim Gaertner, Deputy Plenipotentiary of the Council of the Protestant Church in Germany to the Federal Republic of Germany and the European Community

Prelate Paul Bocklet, Representative of the German Bishops' Conference

10.30 Meeting with representatives of non-governmental organizations:

Ms. Gigdem Akhaya, Zentrum Für Türkeistudien

Mr. Kostas Papas, Präsident Bundesarbeitsgemeinschaft der Immigrantenverbände (BAGIV)

Mr. Jürgen Schlicher, Informationszentrum für Rassismusforschung

Ms. Firtina Ciler, KOMKAR-Verband der Vereine aus Kurdistan

Mr. Vu Quoc Dung, Internationale Gesellschaft für Menschenrechte

Mr. Bulent Kandaz, Türkischer Elternverein

Mr. Norbu, Bürgerrechtskomittee, Boll-H

Mr. Barth, Arbeiterwohlfahrt

Ms. Klissenbauer, Missionszentrale der Franziskaner

Ms. Angela Grossman, Terre des Hommes

Ms. Brigitte Riohmani, SOS-Rassismus. Action Courage

Ms. Leuniger, ProAsyl

Mr. Manquel Tejeda, World University Service (INUS)

15.00 Round table talks with Mr. Rüdiger Wolfrum (Heidelberg), Mr. Wilhelm Heitmeyer (Bielefeld) and Mr. Roland Eckert (Trier)

17.00 Concluding talks with representatives of the Government of the Federal Republic of Germany under the chairmanship of Ambassador Graf von Bassewitz, head of Directorate for Human Rights and Humanitarian Aid at the Federal Foreign Office

Annex II

DECLARATION OF SAARBRÜCKEN, ADOPTED BY THE STANDING CONFERENCE OF MINISTERS OF EDUCATION AND CULTURAL AFFAIRS, ON TOLERANCE AND SOLIDARITY

Considering the new escalation of violence in Germany, the Standing Conference of Ministers of Education and Cultural Affairs hereby declares:

Human dignity is inviolable. Nothing can justify acts of violence. Recently such acts have been directed against foreigners, minorities and the weak within our society; they thus strike at the heart of our State, committed to democracy and the rule of law. Whoever sets fire to hostels for asylum-seekers, whoever applauds, openly or in secret, wreckers and arsonists, thereby turns his back on the community of democrats. No unsolved problem and no abuse can justify recourse to brutal violence.

The recent violent excesses bid defiance to the police and the law, but also to culture and education. The ministers and senators responsible for education and cultural affairs are therefore resolved to encourage and support any initiative calculated to encourage socially cohesive behaviour at school and in society. That implies, in particular, that we:

Conduct a credible policy of respect for other cultures and responsibility towards this one and only world;

Create and preserve living environments that will give young people and adolescents a feeling of well-being and something to look forward to; and

Reinforce the values of tolerance and solidarity within the younger generation.

Already by 29 November 1985 the Standing Conference of Ministers of Education and Cultural Affairs had drawn up recommendations concerning cultural understanding with our fellow citizens from abroad. At its plenary session of 10 and 11 October 1991, in Dresden, it forcefully condemned all tendencies to xenophobia and all its implications in terms of acts of violence. The Standing Conference again invites all teachers, in Germany to intensify their commitment to coexistence based on understanding between foreign and German children and adolescents in order to overcome hatred of foreigners and the violence it engenders. What are most needed in this regard are measures that will bring people together and deepen their mutual understanding.

Here are some examples of such measures:

Class and school celebrations that focus on the culture of fellow pupils from other countries;

Twinnings and exchanges of letters with schools and pupils abroad;

School neighbourhood aid for our fellow citizens from abroad;

Visits to hostels for asylum-seekers;

Singling out of pupils and classes that show particular commitment to tolerance and solidarity.

Such measures are also calculated to help reduce the existing forms of latent violence at school.

The Länder will exchange among themselves the results of their experiments in this sphere and the information available to them on this subject.

Left to itself, however, school would be unable to cope with this task of overcoming xenophobia and violence. The ethical principles of our State, enshrined in the Constitution, must also be expressed in the life of the family and home and be the touchstone of any political action. The media bear a particular responsibility in this regard: among teenagers, especially, radio and television have a wealth of possibilities of encouraging tolerance and solidarity. The Standing Conference will support all initiatives aimed at combating xenophobia and violence through targeted information and popularization.

9 October 1992

Annex III

CHARACTERISTICS OF HAMBURG'S POLICY IN REGARD TO ALIENS AND REFUGEES

1. Make-up of the foreign population

1. The number of persons not of German nationality living in Hamburg is currently about 270,000, representing in round figures some 15 per cent of the resident population. The groups most strongly represented comprise about 70,000 Turks, 33,000 persons from the former Yugoslavia, about 20,000 from Poland, about 15,000 from Iran and nearly 11,000 from Afghanistan, to mention only the most important groups. In all, the aliens residing in Hamburg represent 184 nations.

2. A noteworthy development is the approximately 80 per cent increase in the foreign population within a space of 15 years.

3. Particular stress should be laid on the presence, among the aliens living in Hamburg, of a group of 31,000 persons whose resident status, according to the current definition, is temporary. Specifically, this group is composed of about 11,500 refugees from the former Yugoslavia, about 14,000 asylum-seekers whose cases are under examination, and 6,000 de facto refugees (persons who have not applied for asylum or whose applications have been rejected but who, for humanitarian reasons, are nevertheless provisionally authorized to stay in the Federal Republic).

2. Integration policy

2.1 Objectives

4. The policy of the Senate of the Free Hanseatic City of Hamburg in regard to aliens aims in particular at facilitating by special services the social integration of aliens who have been living legally and for many years in Hamburg and at progressively eliminating the obstacles to de jure and de facto equality. In pursuance of this policy, the Senate accords very special attention to means of countering xenophobic tendencies and social discrimination against aliens.

5. Special services are available for the welfare of aliens who, like refugees, enjoy a right of temporary stay in Hamburg.

2.2 Special integration services available

6. Apart from the provision of schooling for children of aliens in the Hamburg schools, special measures outside the framework of regular teaching are designed for the advancement of children of immigrants. There exist 900 teaching posts in connection with such measures, and to them must be added in particular the social counselling services made available to aliens by charitable associations, by the confederation of German workers' unions and by the organizations to promote social intercourse between Germans and aliens that are financed from public funds. Such activities are as a general rule concentrated in areas where there is a high proportion of non-Germans in the

population with a view to furthering mutual understanding and cohabitation between Germans and aliens. The services offered by the various organizations promoting social intercourse are available to all Hamburg's non-German inhabitants.

7. Their main activities are: language courses, social counselling, organization of spare-time activities, educational and cultural services, services for children, for adolescents and in particular also for women, evening information and discussion sessions, and festivities.

8. The organizations that promote meetings between Germans and aliens are each allotted 3.5 permanent supervisory posts and an average annual budget of DM 500,000.

9. In pursuance of Hamburg's cultural policy, the "foreign cultures" department allocated in 1995 from its annual budget (DM 450,000) the funds required to subsidize 150 cultural projects concerning 30 nations. The function of such projects is the preservation, development and presentation to the public of the cultural heritage of immigrants, and they thus contribute to promoting intercultural dialogue within the city. Such events constitute a major factor of integration inasmuch as they reinforce the aliens' own cultural identity and enable the German population to learn about other cultures. Hamburg's cultural policy thus makes a major contribution to the fight against racist and xenophobic tendencies in society.

3. Expenditure

10. Apart from the cost of the general work to promote integration (for example costs of schooling, kindergartens, services in aliens' mother tongues and general social services), which is hard to estimate, the city of Hamburg devotes to the financing of special integration activities about DM 7 million, which is used for the operation of a social counselling network and of 10 organizations to promote meetings between Germans and aliens, for subsidizing foreign cultural and national associations, for promoting the culture of aliens in general and for the continuing occupational training of foreign workers.

11. The funds allotted annually by Hamburg to cover the living costs of refugees and the cost of special services for them are extremely large, amounting currently to DM 220 million (not counting the investments on housing).

12. For the accommodation of asylum-seekers and refugees from former Yugoslavia, Hamburg made available about 24,500 places in the form of tents, containers and rooms in hotels and boarding houses, together with floating residences where asylum-seekers are housed upon arrival. Planning to meet requirements and the design and erection of decent and socially acceptable lodgings represents an extremely complex and expensive task inasmuch as, to cope with the problem of refugees arriving in unpredictable numbers, with major peaks, account has to be taken of economic possibilities and of the limited land areas and premises available, while also avoiding conflicts with the population and among the refugees themselves and taking into consideration local political interests.

4. Activities directed against xenophobia and right-wing extremism

4.1 The Commissioner for alien's affairs

13. In 1990 the Senate appointed a commissioner for alien's affairs, with the task of advising it on its policy for integration and assimilation of aliens, especially those living on a long-term basis or for considerable periods in Hamburg, and of helping to foster mutual understanding between the German and non-German populations. To this end, the Commissioner is responsible for:

Representing the interests of aliens living in Hamburg and acting as counsellor in difficult cases;

In conflict situations, acting as peacemaker, i.e. functioning as mediator between Germans, aliens and aliens' organizations on the one hand, and the authorities and social groups on the other;

Cooperating with associations, trade unions, churches, guild chambers, organizations that promote meetings between Germans and aliens, business associations and other official and social groups and institutions;

Advising the Senate on questions of principle relating to the general policy concerning aliens, and more particularly on its projects and programmes in that sphere,

Contributing by a public relations exercise to rationalizing discussion on the political conditions for integration of aliens and to facilitating cohabitation between Germans and aliens;

Influencing administrative actions in the direction of the foregoing objectives.

14. Public relations work is the most important instrument for the information of non-Germans and of the German population. In this the Commissioner for aliens' affairs performs a multiple function. By his media work, he seeks to inform the non-German population about their legal situation, their possibilities and prospects within a predominantly German population, and the services available to promote integration in the Free Hanseatic City of Hamburg, but also on their duties as an integral sector of society. He thus encourages aliens to use the possibilities open to them of making a contribution in the social and political spheres. At the same time, he tries to provide the German population with objective information on the legal and social situation of aliens in Hamburg. He strives to eliminate prejudices by adopting a position in keeping with reality. He gives non-German individuals and groups the chance to present themselves in their own cultural and social context. The purpose of all this is not only to give the German population a more informed perception of these aspects, but also to preserve the cultural identity of national or ethnic groups and promote their development in an open society.

15. Press releases and other publications and public events enable the Commissioner for aliens' affairs to influence public opinion. He operates within the framework of his directives and intervenes when necessary in public discussion.

16. A large part of the public relations work done by the Commissioner for aliens' affairs is devoted to activities with a multiplier effect. He offers seminars and training courses dealing with various political and legal aspects of immigration by aliens and refugees and with the trend towards xenophobic and far-right leanings in certain social groups. Their purpose is to help committed citizens or persons performing relevant functions to influence public opinion in their turn.

17. The operational resources available to the Commissioner for aliens' affairs, in particular for his public relations work, amount to about DM 230,000 charged to the annual budget of the city of Hamburg.

4.2 Domestic and security policy

4.22 Xenophobic crimes and offences

18. In latter years Hamburg has not seen any spectacular xenophobic crimes. Generally, moreover, the total number of offences of this kind is relatively small in comparison with the other Länder of the Federal Republic. The restraint shown by the media, energetic intervention by the security bodies, and the deterrent effect of many sentences passed have contributed to a reduction in the number of cases. Consequently, what experience had shown in other Länder, namely that events of major importance combined with aggressive reporting by the media lead to an increase in the number of cases (the imitation effect), has not been reflected in Hamburg.

19. The number of offences motivated by xenophobia or right-wing extremism that were committed in Hamburg declined between 1993 and 1994 (-27 per cent). The absolute figure for incidents in 1994 was 155. In present circumstances a further reduction of about 20 per cent can be expected in 1995. It should be especially stressed that the cases recorded do not include any homicides.

20. The stiffening of penalties for xenophobic offences has certainly contributed to this result.

Annex IV

MEASURES TO COMBAT RACISM AND ANIMOSITY TOWARDS FOREIGNERS IN BERLIN

Situation in the reunified city of Berlin

1. The political changes that have taken place in eastern and south-eastern Europe since the disappearance of the inter-German frontier and the opening of eastern European frontiers have led to a major influx of immigrants from those regions into the Federal Republic of Germany. Berlin, as the European metropolis nearest to the east, and the city with the largest population of settled minorities coming from those countries, is particularly affected by immigration. The influx may perhaps tend to diminish but, depending on circumstances, it might increase still further.

2. The authoritarian structures built into society under the former German Democratic Republic, founded as they were largely on indoctrination and the rejection of everything foreign, have produced certain recognizable differences in the attitudes of the inhabitants of East Berlin as compared with their counterparts in West Berlin on the question of non-Germans residing in Germany. Most acts of criminal violence involving young Germans of the far right have occurred in East Berlin.

3. We cannot, however, label as xenophobic the entire population of East Berlin. The latest opinion polls show that the differences between East and West in terms of degree of open-mindedness towards foreigners have become less marked. It must, however, be noted that this open-mindedness does not, in the east, go as far as wanting to have closer contacts (for example, ties of friendship, marriage, etc.) with non-Germans.

Facts and figures

4. Berlin has a foreign population of about 11 per cent, or in absolute figures some 385,000 persons.

5. Only between 2 and 3 per cent of non-Germans live in the eastern part of the city; most of those are former contract workers from Viet Nam, Angola, Mozambique and Poland.

6. There are currently in Berlin some 45,000 refugees and asylum-seekers, most of whom are housed at emergency reception centres and receive a social security allowance.

Animosity towards foreigners, discrimination and tolerance

7. From the complaints lodged with the Office of the Commissioner for Migrants we can identify several areas in which ethnic discrimination has been in evidence. 15/ These findings correspond for the most part to those of the commissions for equality of chances and non-discrimination set up a few years ago in certain countries of Europe.

8. Acts of violence stemming from xenophobia or racism committed against persons or their property:

Inequality of treatment in access to employment and housing, in educational and occupational training institutions, and in community-based services and establishments;

Insults, humiliating treatment and threats of a discriminatory nature at workplaces or occupational training institutions, in the media and in certain political organizations;

Violence between young people of different nationalities and origins.

9. In comparison with other German cities, Berlin has a modest rating for acts of violence directed against foreigners or asylum-seekers. This is due to a number of factors:

A very long-standing tradition of cohabitation between Berliners of various nationalities and origins in West Berlin;

A municipal policy that accords much attention to aliens and to their integration into German society;

A public relations effort admired by other cities;

A large number of counselling centres and mutual aid organizations that deal with the problems specific to various non-German groups and subscribe to the ideals of intercultural understanding;

The preventive measures put into effect by the police and the readiness displayed by them to provide effective protection for premises housing asylum-seekers when threatening situations arise.

10. In spite of these relatively positive influences, the fact that foreign companies and businessmen continue to express worries about their safety in Germany cannot be glossed over. Particularly important for Berlin, it shows that, alongside objective safety, it is also essential to strengthen the subjective perception of safety among aliens in the city. That depends not only on effective protection by the police in threatening situations; it also requires tolerance and clear evidence of acceptance of foreigners in everyday life situations.

11. The Commissioner for Aliens recently expressed concern at the number of reports received concerning incidents in which non-Germans had been ill-treated or insulted, because of their ethnic origin, by Berlin police officials on duty - in one case anti-Semitic insults were cited. The Commissioner demanded an immediate explanation from the parties responsible. Judicial inquiries are being conducted, but have so far produced no result. Such incidents jeopardize the efforts exerted, with the Commissioner's backing, by the Berlin police to establish relations of mutual trust with the non-German population.

Ethnic discrimination in daily life - possible solutions

12. The vast majority of the complaints of ethnic discrimination reported to the Commissioner for Aliens concern inequality of treatment in daily life situations. They relate in particular to:

Inequality of treatment in access to employment and at the workplace;

Inequality of treatment in the spheres of education and occupational training;

Inequality of treatment in communal services and establishments (in particular discothèques and restaurants);

Discriminatory insults, humiliating treatment and threats at workplaces and places of study, in the media and in advertising, and on the part of political organizations and anonymous individuals.

13. Ethnic discrimination, for example inequality of treatment because of skin colour or country of origin, can be very easy to prove if the attributes of an offence are present. In most cases the victims have the law on their side. But more subtle methods of alienation, and unconscious or involuntary discrimination, often go unnoticed. Subjectively perceived affronts cannot always be proved. In view of the continuing wave of acts of violence stemming from xenophobia or racism which have produced a feeling of insecurity among ethnic minorities, it is understandable that even relatively minor incidents occurring in daily life situations represent, subjectively, a greater threat and carry a greater emotional charge than was the case a few years ago. Ethnic discrimination is only one of the many factors that play a role in conflicts, whether at the workplace, at school or when disputes arise between neighbours.

14. Intervention in individual cases under the "Project for non-violent intercultural understanding" of the Office of the Commissioner for Aliens aims at resolving conflicts by arbitration in order to reduce prejudices between neighbours and in schools. Long-term prevention serves the interests of public relations, as mentioned above.

15. For seven years the Commissioner for Aliens has been receiving complaints concerning discrimination against non-Germans, particularly young Turks, seeking admission to Berlin discothèques. The first few years' findings were evaluated in a survey whose results were presented in 1990. The survey workers came to the conclusion that the ethnic discrimination which is practised inside and at the entries to Berlin discothèques is very considerable. It was recommended to the Commissioner for Aliens that he should continue his usual practice, which is to follow up all complaints and press for the elimination of discrimination by holding talks with the discothèques' owners and mangers. In the most serious cases the district office can revoke the establishment's licence for failure to comply with the provisions of the Berlin restaurants' code.

16. In 1992, as in prior years, the Commissioner for Aliens had talks with the public authorities responsible for housing and with various employers in

order to promote equality for ethnic minorities in access to housing and employment and, in the situation currently prevailing, in the areas of work and securing accommodation. The federal employment office could not, however, be persuaded of the need to eliminate the indication "Alien: yes/no" in the computerized data files of the central employment office. This differentiation is of no interest to a commercial firm and is absolutely irrelevant to a candidate's qualifications for a job, but it does on the other hand constitute a manifest and inadmissible example of discrimination.

17. It emerges from discussions with the advertising departments of major newspapers that discriminatory indications such as "no foreigners" or "Germans only" have mostly been eliminated from the situations vacant columns.

18. As for the remarks and stereotypes corroborating prejudices that appeared in a series of economic publications, the Commissioner for Aliens roundly criticized the publisher, an effective proceeding that achieves results in most cases. On the other hand, effective counter-measures are difficult to devise for coping with the threats, general and specific (such as anonymous letters and notes), addressed to members of ethnic minorities and also to the Office of the Commissioner for Aliens. Judicial inquiries are instituted in every case after such incidents.

Measures applied in Berlin's various administrative services

Police department

(a) Planned restructuring of the police administration so as to ensure direct and continuous relations and meetings with migrants' organizations, representatives of minorities and advisory boards (this has already been discussed at police headquarters and the first steps have been taken);

(b) Development and implementation of reorientation courses for police, with the aim of professionalizing their behaviour in their dealings with minorities (improving their presentation and developing their sensitivity during their professional training are key elements). The police training department is already working on this project and is being advised by the Commissioner for Aliens.

Public services

(a) Campaigns to step up recruitment and placing of ethnic and cultural minorities in the government departments and municipal undertakings of Berlin State, as well as in the police. The civil service must show the way in this sphere.

Schools

(a) The project "Schools against violence", launched last year, features measures to combat xenophobia and racism through workshops, bringing-up of the subject in class, excursions to places of commemoration, and sensitization of teachers and outreach workers (by continuing education);

(b) Need to develop programmes of exchanges and meetings.

Youth groups

19. The municipal council's interdepartmental immediate action programme entitled "Youth with a future" deals with the problems of young people and can be considered as a preventive measure against animosity towards foreigners.

20. Noteworthy achievements:

Extension of the opening hours of youth centres during weekends and school holidays;

Utilization of schools for spare time activities;

Continuation and development of "street workers' programmes" (there are 17 teams working in the western districts of the city and 5 in the eastern districts);

Support through preventive measures in sport: for example, a project addressed to football fans and another concerning sports and backing for young people's sports clubs (in particular at Lichtenberg).

21. The following projects of the social affairs department of the municipal council (through which the Office of the Commissioner for Aliens operates) are of especial importance in the fight against racism and animosity towards foreigners:

The cultural workshop, located in Weissmannstrasse, creates possibilities of intercultural encounters, particularly for young people;

The programme "Youth with a future".

22. The tasks of the project "For non-violent intercultural understanding" are as follows:

Counselling and documentation on various cases of ethnic discrimination;

Discussions and arbitration in conflict situations;

Discussions with the public authorities responsible for housing, owners of discothèques, employers and competent representatives of the Berlin public services on the possibilities for dealing with conflicts, stress being laid on equality of treatment for non-Germans and ethnic minorities;

Assistance in the organization and guidance as to the content of the project "Youth against violence";

"Training courses to combat discrimination and violence" designed for young delinquents and outreach workers;

Aid to the "Independent interdepartmental board for the prevention and suppression of violence in Berlin";

Dissemination of information and public relations work (through continuing education courses, parents' nights, etc.) in schools and enterprises;

Working-out of suggestions for new legal regulations taking account of the initiatives undertaken at the national and European levels.

Educational efforts and preventive measures

23. In 1992, 20 "training courses to combat discrimination and violence" (minimum duration two days) brought together about 200 participants. These courses were prepared and held in cooperation with the auxiliary services and juvenile courts of the city districts. The participants were children, adolescents and young adults who had had brushes with the law for participating in acts of violence. The objective of these courses was to work out tactics on how to behave, with the young people, when faced with conflict situations. These ideas were also used, with certain modifications, at seminars held for teachers and social workers in 1992 and attended by a total of 110 participants.

24. At the end of 1990, young Berliners of various nationalities from all the city's districts took part in the project "Youth against violence" launched by the Commissioner for Aliens. The young people participating in this "anti-movement" want to draw attention to the escalation of violence in their age group and propose non-violent means for resolving conflicts. They are conscious of a growing need for such alternative means in order to counteract the propensity to carry weapons. The objectives of the project are announced through information material and meetings. Its "snowball" effect has resulted in the creation of new anti-violence groups in schools, recreational establishments, sports clubs, church communities, etc. The project is backed, logistically and as to its content, by the Commissioner for Aliens.

25. The project "For non-violent intercultural understanding" is aimed at schools (especially on theme days), business firms, parents' associations, youth groups, etc., which can thus obtain information on the relevant themes; presentations are given at courses of continuing training (especially for outreach workers). The need for information and discussion in this area is highlighted in two booklets published by the Commissioner for Aliens: "I have nothing against foreigners, but ..." (1991) scrutinizes the usual prejudices in an informative and reasoned way; "Saying no to violence" (1992) contains information on young Berliners in search of new standards and a new form of sociability in an intercultural environment.

26. A network of contacts in many Berlin schools through whom measures to combat discrimination and violence can be strengthened and extended is being built up. With the help of this network, it is hoped that in future the various cases of conflict and discrimination, many of which are submitted to the Commissioner for Aliens, can be resolved on the spot.

27. The project "For non-violent intercultural understanding" also provides for counselling of the victims of offences motivated by xenophobia and racism.

In 1992 some complaints were voiced concerning the late arrival or improper behaviour of policemen in response to emergency calls; those cases have not yet been fully elucidated.

28. The first suggestions regarding a new concept for the Berlin police have been worked out by the interdepartmental committee on "Berlin against violence" with reference to the treatment of ethnic and cultural minorities. They lay stress on continuing training and education, on contact between the police and minority organizations, on targeted publicity and on opening of the police force to employment of ethnic minorities, together with the appointment of a commissioner for aliens within the force.

29. Under the project "For non-violent intercultural understanding" it is planned to systematize the listing of complaints of racial discrimination, with the attendant circumstances, so as to be able to present at least a fairly general conspectus of proven cases of discrimination.

Notes

1/ Amnesty International, Federal Republic of Germany. Failed by the system: police ill-treatment of foreigners, May 1995.

2/ Pseudo-asylum-seekers are described as economic refugees and lumped together with de facto immigrants; this leads to a certain confusion between immigration and the right to asylum in official statements.

3/ Hubert Willems, Stefanie Würts, Roland Eckert, "La violence xénophobe: une analyse des structures des coupables et des processus présidant á l'escalade de la violence", report submitted to the Federal Ministry for Women and Youth and the German Science Fund, June 1993; published in Nouveaux dossiers sur la xénophobie en Allemagne", p. 104.

4/ Federal Government Press and Information Office; Nouveaux dossiers sur la xénophobie en Allemagne. Faits, analyses, arguments, Bonn, 1 July 1993, p. 11.

5/ It will be noted that the term rightist extremism is preferred to Fascist or racist activities.

6/ The information in this paragraph comes from a communication by the Federal Ministry of the Interior entitled "Report on the strength and membership of organizations under observation in 1994 by the authorities responsible for upholding the Constitution for rightist extremist activities, and on breaches of the law presumably or demonstrably motivated by rightist extremism or xenophobia", dated 19 September 1995.

7/ Federal Government Press and Information Office: Report on the status of foreigners in Germany. Xenophobia: facts, analysis, arguments, Bonn, January 1995.

8/ The statistics in this chapter come from the communication by the Federal Ministry of the Interior, op. cit.

9/ The Nationalistische Front (NF), Deutsche Alternative (DA), Nationale Offensive (NO), Wiking-Jugend (WJ), Freiheitliche Deutsche Arbeiterpartei (FAP).

10/ Kameradschaftsbund Wilhemshaven (by the Minister of the Interior of Lower Saxony); National Block (by the Ministry of the Interior of Bavaria); Freudeskreis für Deutschland (by the Minister of the Interior of North Rhein-Westphalia); Nationale Liste (by the Minister of the Interior of Hamburg); and Heimattreue Vereinigung Deutschland (HVD) (by the Minister of the Interior of Baden-Württemberg).

11/ The Bertelsmann Communications Group has launched a campaign on the theme "Bertelsmann for tolerance" and given financial assistance to relatives of victims of the fires in Sölingen.

12/ Report by the Federal Government Commissioner for Foreigners in the Federal Republic of Germany in 1993, Bonn, March 1994, p. 15.

13/ Ibid., pp. 73 and 74.

14/ See introduction to policy and legislation on foreigners in the Federal Republic of Germany, Bonn, Federal Ministry of the Interior, January 1991, p. 3.

15/ "Die Ausländerbeauftragte des Senats", translated here as Commissioner for Migrants, is a State office dealing with aliens and the difficulties they may encounter during their stay in Berlin. The Office also supplies detailed information brochures and free counselling services to the public.